

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

R.L. MYRICK, JR,

Petitioner,

v.

Case No. 22-CV-628

CORRECTIONS DOC RECORDS,

Respondent.

RECOMMENDATION AND ORDER

R.L. Myrick, Jr. filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 on May 26, 2022, and paid the \$5.00 filing fee. (ECF No. 1.) The Clerk then sent him a letter instructing him to return the Consent/Refusal to Proceed Before a Magistrate Judge form within 21 days. (ECF No. 2.) Myrick failed to do so. The Clerk on June 28, 2022, sent Myrick a second letter, again instructing him to return the form. (ECF No. 3.) Myrick has again failed to do so.

Although consenting to proceed before a magistrate judge is entirely optional, returning the form is required pursuant to a standing order of the Chief Judge. Because Myrick has repeatedly failed to comply with this requirement,

IT IS THEREFORE RECOMMENDED that the petition and this action be dismissed pursuant to Civil Local Rule 41(c) (E.D. Wis.) for failure to prosecute. Alternatively, Myrick shall file the completed Consent/Refusal to Proceed Before a Magistrate Judge form no later than August 22, 2022.

IT IS FURTHER ORDERED that, in accordance with 28 U.S.C. § 636(b)(1)(B) and (C) and Fed. R. Civ. P. 72(b)(2), any written objections to any recommendation herein or part thereof shall be filed within fourteen days of service of this recommendation. Failure to timely object waives a party's right to review.

Dated at Milwaukee, Wisconsin this 8th day of August, 2022.


WILLIAM E. DUFFIN
U.S. Magistrate Judge